



Appl. No. : 10/829,573  
Confirmation No. : 6731  
Applicant : Edward J. Coleman, et al.

Filed : April 22, 2004  
Title : IMPLANTABLE CARDIAC  
ASSIST DEVICE

TC/A.U. : 3762  
Examiner : Jeffrey R. Jastrzab

Docket No. : 021587-9001-02

Customer No. 23510

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I, Sandy Tabachnick, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

*Sandy Tabachnick*  
Signature

*April 24, 2006*  
Date of signature

#### AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 CFR § 1.111

Sir:

In response to the Office action of April 22, 2005, Applicants respectfully submit the following request for reconsideration under 37 C.F.R. § 1.111 in view of the remarks presented herein.

Accompanying this amendment is a request for continued examination under 37 CFR § 1.114. Applicants therefore request entry and consideration of the amendments and remarks.

Also transmitted herewith, and incorporated by reference herein, is a Declaration of Dr. Edward Coleman under 37 C.F.R. §1.132 (hereinafter the "Coleman Declaration").

A notice of appeal for this application was filed October 24, 2005 along with a three month extension of time. The notice of appeal was received by the USPTO on October 26<sup>th</sup>, 2005. Transmitted herewith, please find a petition and fee for a four month extension of time, extending the pendency of the application from December 26, 2005 to April 26, 2006 as allowed under 37 CFR § 136(a). In lieu of an appeal brief, Applicants herein file a request for continued examination as provided for under 37 CFR § 1.114 and allowed as explained in the MPEP § 706.07(h)(X).

### **AMENDMENTS**

Amendments to the specification are found on page 3.

Amendments to the claims are found in the listing of claims starting on page 4.